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 | INFORMATIONAL LETTER |
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TRANSMITTAL: 92 INF-35

DIVISION: Adult Services

TO: Commissioners of
 Social Services

DATE: July 28, 1992

SUBJECT: Protective Services for Adults: Chapter 160 of the
 Laws of 1992, Community Guardianship Program

SUGGESTED

DISTRIBUTION: Directors of Services
 Adult Services Staff
 Agency Attorneys
 Staff Development Coordinators

CONTACT PERSON: Any questions concerning this release should be
 directed to your district's Adult Services
 Representative at 1-800-342-3715 as follows:
 Irvin Abelman ext. 432-2980 or
 (212) 804-1247
 Thomas Burton, ext. 432-2987
 Kathleen Crowe ext. 432-2996
 Michael Monahan ext. 432-2864
 Janet Morrissey ext. 432-2997

ATTACHMENTS: Chapter 160 of the Laws of 1992
 (Not available on line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
88 ADM-23	91 INF-26	457.1	473-c		
91 INF-26	89 INF-62	457.12			
89 INF-62			Articles 77 and 78 of Mental Hygiene Law		

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The purpose of this release is to advise social services districts of the enactment of Chapter 160 of the Laws of 1992 which makes permanent the provisions of the Community Guardianship Program as set forth in Section 473-c of the Social Services Law (SSL).

Section 473-c SSL authorizes districts to contract with other public or not-for-profit agencies for the purpose of establishing Community Guardian Programs to provide conservatorship and committee services to certain recipients of Protective Services for Adults (PSA), pursuant to the provisions of Articles 77 and 78 of Mental Hygiene Law (MHL). Section 473-c SSL had been due to expire on July 1, 1992. However, the expiration date was removed by Chapter 160 of the Laws of 1992, and the Community Guardian Program has been made permanent.

Section 457.1(c)(7) of the Department's regulations requires districts to arrange for guardianship, conservatorship, commitment and other protective placements as needed on behalf of PSA recipients. Section 457.1(c)(9) requires the districts to function as conservator on behalf of a PSA client when no one else is willing and able to act in this capacity. Section 473-c SSL gives districts the option of providing conservator and committee services through contracts with Community Guardian Programs. Requirements for the establishment and implementation of Community Guardian Programs are contained in Section 457.12 of the Department's regulations.

To date only one district, New York City, has established a Community Guardian Program. New York City implemented its initial contract with a not-for-profit agency in February 1987. Currently, the program has three providers and serves 385 impaired adults.

William E. Gould
Acting Deputy Commissioner
Division of Adult Services